

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DENISE McKEOWN, ROBERT LUTTS

*Plaintiffs,*

v.

ADVEST, INC., KAREN M. SUGHRUE, GARRY L. CRAGO, JEAN W. CHILDS, PAULA EDWARDS COCHRAN, G. STEVENS DAVIS, JR., JULIA B. DEMOSS, WILLIAM R. DILL, LESLIE A. FERLAZZO, JOYCE SHAFFER FLEMING, ERIC W. HAYDEN, CATHERINE CHAPIN KOBACKER, ANNE MARCUS, CELESTE REID, RICHARD J. SHEEHAN, JR., JOSEPH SHORT, GREGORY E. THOMAS, SUSAN K. TURBEN, and DONALD W. KISZKA

*Defendants.*

Civil Action No. 05CV10176 RGS

PLAINTIFFS MOTION TO  
CONSOLIDATE

Now come the Plaintiffs Denise McKeown and Robert Lutts and request the Court to consolidate this case with *T. Rowe Price Tax-Free High Yield Fund Inc. et. als. vs. Karen M. Sughrue, et. al.*, USDC MA CA No. 04-116667-RGS, pursuant to Fed.R.Civ.P. 42 and Local Rule 40.1.

As ground for this Motion Plaintiffs state:

- (a) The defendants in both cases are the same.
- (b) The claims and defenses are the same or similar in that involved (i) violations of §10(b) of the Exchange Act and Rule 10b-5(ii) violation of §20(a) of the Exchange Act (iii) violation of §12(a)(2) of the Securities Act of 1933 (iv) violation of M.G.L. c.110A, §410(v) fraud and misrepresentation (vi) negligent misrepresentation and (vii) breach of fiduciary duty.

(c) The cases involve the same or similar factual circumstances in that they concern alleged material representations and material omissions by Advest Inc. and directors, trustees and officers of Bradford College in the issuance of Massachusetts Industrial Finance Agency Revenue Bonds, Bradford College Issue, Series 1998.

(d) Consolidation of the cases will reduce costs for all parties and promote judicial economy.

Counsel for the plaintiffs has been advised by counsel for defendants that they do not intend to oppose or object to this Motion.

WHEREBY, for the foregoing reasons and points and authorities plaintiffs respectfully request that the Court consolidate this case with *T. Rowe Price Tax-Free High Yield Fund Inc. et. al. vs. Karen M. Sughrue et. al.*, USDC MA CA No. 04-11667-RGS.

DENISE McKEOWN, ROBERT LUTTS

By their attorney,



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Dated: March / , 2005

**CERTIFICATE OF SERVICE**

I, William A. Sheridan, hereby certify that I have served, a copy of

**Plaintiffs Motion to Consolidate**

by mailing same to:

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*3/16/05*

*[Signature]*

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Date